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2549th MEETING: 16 AUGUST 1984

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2549th MEETING

Held in New York on Thursday, 16 August 1984, at 3.30 p.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2549)

1. Adoption of the agenda
2. The question of South Africa:
Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

The meeting was called to order at 4.10 p.m.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

1. The PRESIDENT (*interpretation from French*): In accordance with the decisions taken at the 2548th meeting, I invite the representative of Algeria to take a place at the Council table. I invite the representatives of Argentina, Czechoslovakia, Nigeria, South Africa and Thailand to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Sahnoun (Algeria) took a place at the Council table; Mr. Muñiz (Argentina), Mr. César (Czechoslovakia), Mr. Onobu (Nigeria), Mr. von Schirnding (South Africa) and Mr. Kasemsri (Thailand) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Benin, Cuba, Mongolia, the Syrian Arab Republic, Trinidad and Tobago and Yugoslavia in which they request to be invited to participate in the discussion of

the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Ogouma (Benin), Mr. San José (Cuba), Mr. Nyamdoo (Mongolia), Mr. El-Fattal (Syrian Arab Republic), Mr. Alleyne (Trinidad and Tobago) and Mr. Silović (Yugoslavia) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received a letter dated 16 August 1984 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which reads as follows:

"On behalf of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I have the honour to request to be invited, under rule 39 of the provisional rules of procedure, to participate in the Council's consideration of the item entitled 'The question of South Africa'."

4. On previous occasions, the Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation pursuant to rule 39 of its provisional rules of procedure to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

It was so decided.

5. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/16700, which contains the text of a draft resolution submitted by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe.

6. Mr. CHIKETA (Zimbabwe): Allow me to begin by extending to you, Sir, my country's sincere congratulations on your assumption of the presidency of the Coun-

cil for the month of August. We are confident that your personal qualities and undoubted diplomatic skills will greatly facilitate the efforts of this body to deal justly and effectively with all the issues that may be brought before it this month.

7. I further wish to express my country's appreciation and admiration for the outstanding manner in which your predecessor, Mrs. Jeane J. Kirkpatrick of the United States, guided the work of the Council in the month of July.

8. Today the Council is called upon once more to consider events taking place in South Africa. That is justly so. The events currently under way in that country not only constitute a negation of the necessary democratic process and thus become the legitimate concern of all democratic and peace-loving nations, but also threaten international peace and security and so come under the purview of this Council according to the Charter of the United Nations.

9. All of us here are aware of the provisions of the so-called new constitution in South Africa. For that reason I do not intend to enunciate those provisions here. What I intend to do is to bring to the notice of this Council our understanding of those provisions, our interpretation of them and our view regarding what we believe they mean for South Africa in particular and for our region and the world in general.

10. This latest attempt to deceive the world appears on the surface to be sophisticated, but its substance is elementary. The so-called constitution in South Africa was conceived and formulated without the participation of the authentic representatives of the people of South Africa. The constitution is, therefore, not of the people, it is not by the people, and it is not for the people. It is a product of—and, indeed, yet another plot by—the Nationalist Party of South Africa and is aimed at perpetuating the rampant exploitation and degradation of the majority black masses of that country.

11. This allegedly new constitution is still as unashamedly racist in both composition and function as the 1961 constitution. It is nothing other than a consolidation of the 1948 nationalist party policy, which, as we are all aware, was aimed in 1948 at the introduction of *apartheid*, and now, in 1984—and it is interesting to see that the only real change is in the substitution of "1984" for "1948"—at its entrenchment in that country. The racist régime's methods are simple: divide the oppressed blacks by creating bantustans for the Africans and by including the so-called Coloureds and people of Asian origin in the so-called house of representatives and house of delegates. The co-option of a few Coloureds and people of Asian origin—who will, in any case, according to the new constitution, be powerless to affect the course of events—into the ruling clique in Pretoria does not constitute a dent in the machinery of *apartheid*, but rather another cog in its wheel. We

cannot be wrong in making this deduction, because the architects of *apartheid* themselves have told it to us. In selling the proposals for the so-called constitutional dispensation to their electorate, *apartheid* Ministers emphasized the limited nature of these proposals, and stressed that the new so-called constitution was not a step towards integration, but would serve to entrench *apartheid* and preserve white domination. In other words, the new constitutional dispensation is designed to gain for *apartheid* some breathing space and some respectability.

12. If the initiators of this exercise themselves were at pains to point this out to their electorate, who are we to venture to think differently about those proposals?

13. We are of the opinion that this new so-called constitution is a nationalist party document being forced at gunpoint down the throats of the majority of South Africans, who are black and have been totally ignored in the power-sharing exercise provided for by this document, which, in fact, now serves to de-nationalize them and to make them strangers in the land of their birth. Indeed, they are being made stateless people, people without a passport that any country represented at this table would recognize.

14. Moreover, the laws that *apartheid* is constructed upon, such as the notorious Group Areas Act and the laws on influx control, with the consequent forced removals from the so-called white areas to the poor, overcrowded and barren homelands, continue to exist and are now stringently and cruelly enforced. Separate and inferior education for blacks will not be removed by this new constitution; that policy is, indeed, a necessary and logical part of it. And those Indian and Coloured parties that do take part in the so-called elections will do so within the limits of *apartheid*, to rubber-stamp the decision made without them, for their opinion did not count, did not matter and, of course, will not matter even in the envisaged arrangement.

15. Indeed, we are convinced that the so-called new constitution is nothing more than an extension and rationalization of South Africa's bantustan policy. That policy has always sought to segregate the people of South Africa, using Pretoria's shameless racial classification of them, into separate nations which should develop and run their affairs differently and with no relation to the other racial groups. The constitution pretends that the vast majority of South Africans have been provided for already in the so-called homelands, where they are supposed to exercise economic and political rights, and seeks now to deal with the Coloureds and Asians, who were not provided for under the bantustan policy, and so to round off the aim of *apartheid*.

16. It is our view, as we believe it is also the view of the rest of the international community, that the so-called elections to be held in the racist Republic later this month distract attention from the actual problem in

South Africa and, therefore, also from the search for a real and viable solution to that problem. The problem in South Africa is the institutionalized racism that is *apartheid*. The only solution to that problem is the dismantling of that system and the ushering in of a just and democratic order in that country. Any other machinations, such as the exercise under consideration today, serve to exacerbate the problem by complicating it and bringing extraneous and irrelevant issues into play.

17. We consequently expect that today an unequivocal message will go forth from this chamber, and from all fair-minded people in the world, assuring the struggling people of South Africa that the Council, and the world as a whole, cannot be hoodwinked by the machinations of *apartheid*, and that we regard the elections as a retrogressive step designed to maintain and strengthen *apartheid* rather than to dismantle it.

18. We further hope that the message will be the result of a consensus decision of the Council so that the racist régime in Pretoria is served notice that the international community is at one in condemning the new so-called constitution and the sham elections leading to its implementation. We indeed have an obligation to the South African masses in particular, and to the peace-loving nations of the world in general, to reject unconditionally these recent Fascist outbursts, as they add tension and are a contributory factor threatening international peace and security.

19. We say this because we believe that if there is anything we share with the rest of the world, which certainly the South African racist régime does not share, it is the desire for peace, stability, racial equality and racial harmony in our region in particular and in the rest of the world in general. It is our desire to extend to all citizens equal freedom and equal rights to participate in the decision-making process that goes on in the planning and charting of one's destiny in one's country.

20. It is the right of a citizen to demand equal justice before the law and to expect protection from exploitation by ruthless profit-only-oriented multinational companies. In short and in simple terms, I speak of the unquenchable love of freedom and the desire to stay free and freely to decide one's destiny. Many people have died in many parts of the world seeking this freedom, and many in this chamber, I suspect, would be prepared to die for it. We should not be surprised when we see in South Africa people prepared to die for this freedom. This peace, this stability, and this racial harmony we all desire cannot exist—least of all in racist South Africa—in and alongside the exploitative system which the *apartheid* policy perpetrates and which the so-called new constitution intends to reinforce.

21. The United Nations has always insisted on the maintenance of a unitary South African State, and through Security Council resolution 473 (1980) and

General Assembly resolution 38/11 of 15 November 1983, has called upon the régime in Pretoria to abandon *apartheid*, stop oppressing the vast majority of South Africans and enter into negotiations with the genuine representatives of the oppressed majority of South Africans—negotiations designed to bring about a just, lasting political settlement in South Africa.

22. The same logic as informed our decision to reject South Africa's bantustan policy should inform our decision today to reject an instrument that seeks to perfect that policy. This has already been done by the General Assembly when it adopted resolution 38/11, which, *inter alia*, rejected the so-called new constitutional proposals in South Africa. There were no dissenters on that decision of the General Assembly. We hope that this time also, especially in view of the fact that the draft resolution is almost identical to the one adopted by the Assembly, the decision will be unanimous.

23. It is necessary that this be so, because *apartheid* is a crime against the conscience and dignity of mankind, and all mankind must rally together to combat it. We should make it quite clear to the racist régime that only the total elimination of *apartheid* and the establishment of a multiracial democratic society based on majority rule, through the full and free exercise of universal adult suffrage by all the people in a unitary and united South Africa, can lead to a just and lasting solution of the situation in South Africa.

24. Mr. BORG (Malta): Sir, your assumption of the presidency for the month of August coincides with the change of your country's name to Burkina Faso. This double event gives me greater pleasure in that I can extend my warmest congratulations to you and to your people on these two memorable events, so important to your country, which you so admirably represent. I am sure that your wisdom and diplomatic skills will assist us in no small measure in making our tasks easier to accomplish and ensuring that their accomplishment is to the benefit of mankind.

25. I also express my sincere appreciation to your esteemed predecessor, the representative of the United States, Mrs. Jeane Kirkpatrick, for the excellent manner in which she presided over the affairs of the Council last month. Her leadership and judgement were truly remarkable.

"The actions of South Africa, its internal policies of racism and oppression and its external policies of aggression and domination constitute yet another threat to international peace and stability. The cry of anger, frustration and suffering emerging from southern Africa is urgent and persuasive. It calls for urgent and effective remedies."

26. These opening words of my statement, taken from the address given by the Minister for Foreign Affairs of Malta at the thirty-seventh session of the General Assembly, are a reflection of the harsh realities still con-

fronting the free world today. Instead of South Africa altering its attitude in the face of world condemnation, we are, unfortunately, witnessing an intensification of its defiance by persisting in applying its *apartheid* system, already denounced by the General Assembly as a "crime against humanity" and by the Security Council as "a crime against the conscience ... of mankind".

27. Under the disguise of reforming *apartheid*, the new constitution would allow for the creation of separate chambers of parliament for the country's 800,000 Asians and 2.5 million Coloureds—an act symbolic of the political separation conceived by the 1983 constitution. Although it would extend the franchise on racially separate roles to these two minority groups, 22 million—or 72 per cent—of the indigenous African population would be totally excluded, on the grounds that a different constitutional path has been provided for them with the homeland system.

28. This new plan, backed by just two-thirds of the 2 million whites in an all-white referendum, ensures that the whites' built-in majority will still be decisive, either directly or acting through the State President and the President's Council.

29. This clearly and unequivocally shows that instead of its being a step away from *apartheid*, as claimed by the white South African authorities, the so-called new constitution is but an instrument to entrench and consolidate even further the policies of *apartheid*. The 22 million black people are shut out more decisively than ever before; they are being confined to their so-called homelands, or nominally independent nations. They are denied South African citizenship, and, technically, any right to its future.

30. The new constitution will be implemented in a climate of continuing, if not accelerated, pursuit of the essentials of *apartheid*. It is enough to state that in the last 20 years over 3.5 million blacks have been physically uprooted from 87 per cent of the land which is controlled by the *apartheid* régime. As the rate of resettlement quickens, 2 million more are slated to be moved. However, the main props of *apartheid*, including residential, educational, social and sexual segregation, will remain in place.

31. The new constitution does not in fact provide any reform in the sense that there is no real sharing of power. It offers nothing substantial to the Coloureds and Asians, who can always be overruled in the white chamber, and it offers nothing at all to the blacks, the majority of the people of South Africa, who have once again been totally excluded from power-sharing and political rights. The constitution sanctifies the denationalization of the vast majority of South Africans, relegating them to foreign citizenship.

32. During the current debate and in reports by the international press, we have heard and read that opposition to the new constitution from the vast majority of

non-whites is overwhelming. The African blacks, from the African National Congress of South Africa (ANC) to the homeland leaders, are vigorously opposed. Many Coloured, Asian and even white groups, including the official opposition party, are taking a similar stand. It is felt that only steady pressure and isolation will persuade the South African authorities to review their options and deal seriously with all the people of South Africa.

33. As a member of the international community and as a member of the Council, Malta calls on South Africa to desist from such acts, which bring irrevocable suffering and irreparable schisms to a population that has been the witness of racist policies going against the inviolable rights of human beings.

34. We all stand committed to protect and safeguard our freedom. It is imperative that this freedom be also enjoyed by the oppressed people of South Africa. We join with other members of the Council and those delegations which have so far participated in the debate to condemn the acts of defiance of the South African régime and call upon it to withhold the discriminatory and repressive new constitution.

35. The Council has on numerous occasions appealed to the authorities in South Africa to restrain their actions. However, time has shown all of us that our appeals have gone unheeded. Our African brethren are still awaiting the day when they will be free and equal citizens. Let the Council lead the way by expressing its solidarity with their aspirations. Let us once again appeal, with one voice, to the authorities in South Africa to give the people—be they Coloured, Asian or black—the opportunity to say: "We are from South Africa, our country is South Africa."

36. Mr. OVINNIKOV (Union of Soviet Socialist Republics) [*interpretation from Russian*]: Sir, may I at the outset very warmly congratulate you, the representative of Burkina Faso, upon your assumption of the responsible post of President of the Council. We wish to voice our conviction that in you the Council has a reliable and highly qualified leader.

37. I should like to take this opportunity to express our gratitude to the representative of the United States, Mrs. Jeane Kirkpatrick, for the skilful way in which she guided the work of the Security Council last month.

38. The urgent convening of the Council has been motivated by the profound concern of the entire international community, particularly the African countries, at the dangerous turn of events in southern Africa. The new racist constitution in South Africa, which was approved last November exclusively by the white minority, and the so-called constitutional reforms in South Africa, which were also devised by the white racists, are a mockery of the elementary rights of the majority of the population of the country. This is also an overt challenge to the numerous resolutions adopted by

the Security Council and the General Assembly on the question.

39. A new attempt is being made artificially and quite deliberately to keep out once and for all, the overwhelming majority of the population of that country, whose skin happens to be black—three quarters of the indigenous population—from the political life of South Africa. Further, the racist régime in South Africa is trying to pursue a policy of divide and rule by granting a semblance of rights in the South African Parliament to certain Coloured people and people of Asian origin. The obvious intention is that the white overseers will be able to split the black and Coloured inhabitants of South Africa into opposing camps. Thus they intend to maintain the inhuman *apartheid* régime, which has been doomed by history. Therefore, what we are witnessing here is an attempt to confirm in perpetuity the law of the concentration camp in South Africa.

40. The African States, as can be clearly seen from their initiative and their statements here in the Council, are fully cognizant of the significance of these fresh manoeuvres on the part of the South African racists. The Organization of African Unity (OAU) had previously vigorously condemned and rejected the "constitutional proposals" in South Africa. The OAU declared that *apartheid* cannot be reformed and that it must be eradicated.

41. In its resolution 38/11 of 15 November 1983, the General Assembly likewise condemned and rejected the machinations of the racist minority régime in South Africa since they were aimed at the further consolidation of the domination of *apartheid*. Although, of course, certain members of the North Atlantic Treaty Organization (NATO), particularly keen on talking about human rights, refused at the time to support the resolution, it remains a fact that in the voting the vast majority of Member States vigorously rejected the manoeuvres of the South African racists. The General Assembly emphasized that the imposition of the proposed constitution would inevitably lead to increased tension and conflict in South Africa itself as well as in southern Africa as a whole. For that reason the General Assembly requested the Security Council to take all necessary measures pursuant to the Charter of the United Nations.

42. It is the duty of the Council to take such measures. We cannot allow the manoeuvres of the South African racists to succeed. The essence of the *apartheid* régime would not be altered by such manoeuvres, just as a snake does not change when it sloughs its old skin.

43. Furthermore, *apartheid* is not a purely domestic affair of South Africa. Like a cancerous growth it spreads, and it is spreading to the contiguous areas of southern Africa. The racist Pretoria régime, which has occupied Namibia, has obstinately refused to recognize the right of the people of Namibia to self-determination and independence; it has refused to respect the ter-

ritorial integrity of Namibia. It is waging an undeclared war against independent African States, and it is carrying out acts of aggression, destabilization, subversion and terror in the territories of neighbouring African States. This abnormal situation in southern Africa will continue as long as the backbone of the South African régime continues to be *apartheid*, a policy of brutal repression of the majority of South Africa's population, a policy of diktat towards the independent African States.

44. Of course the Pretoria régime could not behave with such arrogant self-assurance both within the country and outside it if it did not enjoy the support of kindred forces in the West. In this connection it is important to note that over the last three and a half years there has been increasingly direct and close co-operation between South Africa and the United States. As early as March 1981 a statement was made at the highest level in the United States to the effect that the Administration was anxious to assist South Africa. The South African racists quickly reacted to the green light that had been given by Washington. South Africa's military budget was immediately increased by 40 per cent. In August 1981 regular South African troops invaded Angola. That was the precise moment chosen by the United States to expound its new regional strategy with reference to southern Africa. The Deputy Secretary of State, Chester Crocker, at that time frankly stated that "the Reagan Administration had no intention to destabilize South Africa to anyone's advantage". He also officially declared that the United States "was endeavouring to build more constructive relations with South Africa, relations based on common interests". On the day following that policy statement, the United States vetoed a draft resolution condemning South Africa's aggression against Angola.

45. All of that ushered in a qualitatively new stage in the ongoing co-operation between the *apartheid* régime in South Africa and the United States. Subsequently, in March 1982, the State Department of the United States declared that restrictions on trade with South Africa had been removed. Immediately thereafter the United States proceeded to embark upon direct political co-operation with South Africa in blackmailing the African countries. The essence of that co-operation consisted in a division of labour: South Africa made every attempt to break open, or at least threatened to break open, other peoples' back doors in southern Africa, while at the same time diplomats from the United States stepped in and sought to convince them that anyone who resisted South African aggression would suffer as a result.

46. The entire policy of the racist Pretoria régime and its protectors overseas not only flies in the face of the interests of the freedom of the African peoples, but also threatens the security of independent African countries. At the same time it creates a serious source of tension in southern Africa. In this connection we should like to draw attention to a note of warning that

was sounded in October 1982 by the well-known American figure Mr. Robert McNamara. At that time he warned that United States policies would make it impossible for there to be any changes in South Africa except through revolutionary violence. Consequently he concluded that "South Africa might become, and in my opinion would become, the same sort of major threat to world peace in the 1990s as the Middle East was at present".

47. It is no accident that we have dwelled on who it is that is helping the South Africans from outside. This is by no means an idle reflection. It is precisely the self-same forces here in the Council that are thwarting the adoption of effective actions against South Africa that would force the racist régime to give up its *apartheid*. It is they who, even if they in fact allow the Council to adopt a new resolution, will bend every effort to block its implementation. Sabotage to benefit *apartheid* is a speciality of certain Powers, which leads us to a further point.

48. Some people in the United States, as has now become widely known, are itching to "outlaw" certain countries. These people do not have the patience to wait till the relevant unilateral acts of legislation can be signed. The thinking of these people is essentially that anyone who has been arbitrarily outlawed by the United States can and should be bombed in the next five minutes, with nuclear bombs at that. I am naturally speaking of the attitude of the United States towards the Soviet Union and to socialism as a whole. We for our part reject as a matter of principle the "rationality" and the possibility of resolving ideological conflicts with the help of weapons, in particular nuclear weapons. This philosophy is alien to us. But the unprecedentedly hostile attitude towards the Soviet Union to which I have referred just now is something that is a danger to world peace.

49. Another aspect of United States policy in the international arena, apart from its pathological anti-Sovietism, is its unprecedentedly amicable attitude towards the ill-famed system of *apartheid* in South Africa.

50. In the case of *apartheid* in South Africa we are dealing essentially with a régime that has been outlawed not arbitrarily but deservedly, and not unilaterally but by all civilized humanity. However, the United States is doing everything it can in the Council to block the legitimate punishment of these recognized international criminals. In the Council the United States has obstinately blocked the adoption of any sanctions directed against *apartheid*, sanctions for which the African countries have long been clamouring, and which are demanded by the conscience of all civilized mankind.

51. Why does the United States so stubbornly insist on giving cover to the white racists? There is a simple answer to this question. The unrestrained anti-Sovietism and militarism in the United States and the untram-

melled racism in South Africa are not enemies but allies. They are, as it were, two sides of the same coin. This is the manifestation of two kindred ideologies and the practice of misanthropy. This inexorable fact, the embrace of South African racism, is something that the United States can never evade.

52. Our policy with reference to *apartheid* is diametrically opposite. The Soviet people understand, appreciate and sympathize with the aspirations of those who today are continuing to struggle in the southern part of Africa for their liberation from racism, racial discrimination and *apartheid*. The great October socialist revolution of 1917 in our country did away with all forms of exploitation, including national oppression, and confirmed the equality of those many nationalities that go to make up the Soviet Union. We are proud of our national policies and as a direct consequence one of the fundamental principles of Soviet foreign policy is support for those peoples which are struggling against colonialism, racism and *apartheid* in an endeavour to achieve their independence.

53. We therefore hereby confirm our complete solidarity with the peoples of South Africa and Namibia and their national liberation movements. However much this may be resisted by the racists and the neo-colonizers, the day will inevitably dawn when those whom today they dub "terrorists" will represent their own liberated countries in the United Nations.

54. This is how it was in the past and how it will continue to be in the future. There is no place for *apartheid* in the history of civilized mankind.

55. Mr. Shah NAWAZ (Pakistan): I should like to begin, Sir, by expressing our happiness at seeing you presiding over the deliberations of the Council during the month of August. I have had the privilege of working closely with you and have the greatest respect for your diplomatic skill and experience and admiration for your outstanding personal qualities. I wish you every success in guiding the work of the Council during this month on important issues, such as the one before us today, which is of concern not only to Africa but to all humanity.

56. I take this occasion also to express our gratitude to your predecessor, Mrs. Jeane Kirkpatrick of the United States, for the competent and dignified manner in which she conducted the business of the Council during last month.

57. The Security Council is convened in an urgent meeting today in response to a request made by the representative of Algeria on behalf of the Group of African States to consider the so-called constitutional reforms promulgated by the Pretoria régime last year. Elections for the Coloured and Asian population under these so-called reforms are scheduled to be held during the latter part of this month. This new manoeuvre by the *apartheid* régime to provide limited and controlled

representation to the Coloured and Asian population is designed primarily to serve the objectives of the policy of *apartheid* and needs to be firmly challenged and opposed by the international community.

58. It would be naive to imagine that the new constitutional reforms betoken a step in the right direction and will culminate in the dissolution of the abhorrent *apartheid* system. The new constitutional reforms, based as these are on racial discrimination, are as immoral as *apartheid* itself. Their political intent is even more sinister. The reforms draw a distinction between the Coloured and Asian population of South Africa, on the one hand, and that Country's black population—which continues to be deprived of all its fundamental human and national rights—on the other. These reforms are clearly designed to drive a wedge between these two sections of the South African population which have consistently presented a united front against the *apartheid* system in all its forms. Obviously, the Pretoria régime entertains the hope that the measures it is about to introduce will break the unity of the anti-*apartheid* forces, drawn from the black, Asian and Coloured population of the country, and thereby end its isolation within the country and its ostracization by the international community.

59. The aim of the so-called constitutional reforms is not limited to the creation of divisions among the black, Coloured and Asian population of South Africa. The strictly regulated association of the Coloured and Asian population in the political process of the country clearly stamps them as second-class citizens who would be allowed to exist in a purgatory, somewhere between a heaven for the racist white minority and a hell for the black population.

60. Doubtless, the Coloured and Asian people of South Africa will instinctively recognize the trap which has been set for them and, by refusing to step into it, will frustrate Pretoria's plans, just as the black majority population did, by refusing to be herded into arid, poverty-stricken, segregated enclaves, for the benefit of a white minority bent upon exploiting the rich resources of South Africa's vast expanses, in order to nourish and perpetuate the *apartheid* system. In opposing the excesses of the *apartheid* régime and conducting a common struggle against the inhumanity and tyranny of an anachronistic racist philosophy, the long-suffering Coloured and Asian people of South Africa are the natural allies of the majority black population.

61. Neither the open pursuit of a policy of bantustanization nor the barely concealed attempt to achieve the same objective through deceptive constitutional reforms will weaken the anti-*apartheid* movement inside South Africa. Indeed the massive resistance by the valiant people of South Africa to the racist régime has gained in strength since the enforcement of the new constitutional reforms. Similarly, these transparently hypocritical measures can neither deceive the international community nor lessen its resolve to support the

anti-*apartheid* movement in and outside South Africa in order to bring to a speedy close a dark chapter in the annals of human civilization.

62. Pakistan, since its very inception, has remained staunchly committed to the eradication of *apartheid*, which is abhorrent to the concept of universal brotherhood and equality enshrined in its Islamic ideology. In a message expressing solidarity with the political prisoners of South Africa in October last, President Mohammad Zia-ul-Haq of Pakistan said:

"Belief in the equality of man is the cornerstone of the faith of the people of Pakistan and the policies pursued by the Government of Pakistan. Racial discrimination is anathema to Islam and to Pakistan and we have always considered it our sacred duty to provide full support to all victims of the abominable policies of *apartheid* and racial discrimination in all its manifestations."

In another message of solidarity with the struggling people of South Africa in June this year, the President said:

"In reaffirming their solidarity with the people of South Africa, the Government and people of Pakistan renew their pledge to extend all possible assistance for the complete eradication of *apartheid*, which constitute a crime against humanity and a threat to world peace. We are convinced that the day is not far when the valiant struggle of the people of South Africa for freedom, equal rights and human dignity will be crowned with success and *apartheid* and racial oppression will be eliminated from the face of the earth."

63. Having declared *apartheid* a crime against humanity and being committed to the dissolution of this evil legacy of the colonial era, the international community must remain vigilant against its survival in new political, legal or constitutional forms. It must convey a clear message to Pretoria that the thin veil of the new constitutional reforms cannot mask the ugly face of *apartheid*, nor can it be expected to lessen the stigma of international censure against it.

64. Last year, the General Assembly, in its resolution 38/11 of 15 November 1983, promptly rejected South Africa's new constitutional reforms and expressed the determination of the Member States not to recognize any results which might flow from them. Now that South Africa has embarked on a new phase in the implementation of the constitutional reforms and is pushing for the elections to be held later this month, it is the Council which is faced with a new assertion of the policy of *apartheid*.

65. Consistent with its past resolutions, in particular resolution 473 (1980) affirming its commitment to the elimination of *apartheid* and its recognition of the legitimacy of the struggle of the South African people for

this objective, the Council must reject the new constitutional reforms and declare them null and void. It must act with a sense of urgency to stop the further consolidation and development of the repugnant dogma of *apartheid*. It must also call upon all Member States not to recognize the outcome of the scheduled elections for the Coloured and Asian-origin population of South Africa, and to continue their assistance for the oppressed people of South Africa in their just struggle for a non-racial democratic society, in which all segments of the population, irrespective of their colour or creed, would enjoy equal and full political rights.

66. Mr. LING Qing (China) [*interpretation from Chinese*]: Please allow me, Sir, to extend my congratulations to you on your assumption of the presidency for this month. With your talent and dedication to United Nations activities, you will certainly make important contributions to the work of the Council. Burkina Faso and China enjoy amicable relations and we are very glad to have friendly co-operation with you.

67. I should also like to thank Mrs. Jeane Kirkpatrick for the efforts she made during her tenure of presidency of the Council last month.

68. Over the years, the South African authorities have been savagely practising *apartheid* at home, a policy that runs totally counter to the principles of the Charter of the United Nations. This policy has not only met with resolute opposition from the broad masses of the black and Coloured people in South Africa, but also aroused strong condemnation by the African countries and the international community in general. The South African authorities are extremely isolated.

69. In order to sustain their racist rule, the South African authorities have stepped up their political intrigues while intensifying their armed suppression. On 2 November 1983, a so-called referendum was held in South Africa with the exclusive participation of the white electorate which endorsed "constitutional proposals". Though seemingly providing limited participation for the Coloured and the people of Asian origin in some affairs, these proposals in fact leave the power of major decision-making in the firm grip of the white racists. The Coloured and the people of Asian origin can only serve as subordinates and foils. Such constitutional proposals will completely deprive of all their political rights the black majority, who make up over 70 per cent of the entire population in South Africa. Furthermore, these proposals clearly provide that the whole series of "laws" which protect *apartheid* will retain their validity. These laws have driven a considerable section of the black people in South Africa, who number over 20 million, into a few bantustans, where they have completely lost their rights as citizens of South Africa.

70. This trend of development is continuing. It is obvious that such a step taken by the South African authorities is by no means a "positive measure" but

rather a trick aimed at providing *apartheid* with a legal cloak so as to perpetuate the system. In addition, the South African authorities are trying in doing so to sabotage the unity between blacks, Coloureds and people of Asian origin and escape from being condemned both at home and abroad so that they may continue their racist rule.

71. The General Assembly adopted on 15 November 1983 resolution 38/11, in which it condemned the enforced implementation of the so-called "constitutional proposals", which would aggravate tension and conflict in South Africa and in southern Africa as a whole, and requested the Security Council to take all necessary measures to avert further aggravation of the situation there.

72. In defiance of the resolutions of the General Assembly, the South African authorities have decided to hold elections in August and September of this year, respectively, for the houses of the whites, Coloureds and people of Asian origin, obdurately clinging to their constitutional proposals which have met strong opposition both in South Africa and abroad.

73. The Chinese delegation strongly condemns the South African authorities for their crime of pushing the so-called new constitution and supports the draft resolution proposed by the non-aligned countries. China holds that the Council should take all necessary measures to mobilize the international community to support the just struggle of the oppressed people of South Africa against *apartheid* and for racial equality.

74. The PRESIDENT (*interpretation from French*): The next speaker is the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. I invite him to take a seat at the Council table and to make his statement.

75. Mr. KOROMA (Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples): May I be allowed, first of all, to proffer my congratulations to you, Sir, on your assumption of the high office of President for the month of August. It is fitting that you should be presiding over the affairs of the Council at this moment when the issue of *apartheid* is being reconsidered by the Security Council.

76. In the same vein, I should like to extend our congratulations to Mrs. Kirkpatrick of the United States for her presidency over the affairs of the Council for the month of July.

77. In my capacity as Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I wish to convey to you, Sir, and to the other members of the Council, my

appreciation for the opportunity of addressing the Council on this all-important matter which is before it for its consideration.

78. At its thirty-eighth session, the General Assembly, by an overwhelming majority, declared [*resolution 38/11 of 15 November 1983*] the constitutional proposals which had been enacted by the South African Government to be contrary to the principles of the Charter of the United Nations, and that their enforcement would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole. The Assembly therefore rejected those proposals, not only because they were intended to entrench *apartheid* and the racist majority régime in South Africa, but also because they represented an insidious and fraudulent attempt to divide and rule the majority of the South African people, and to isolate the 24 million black Africans from their fellow citizens. Furthermore, the Assembly called upon the Council, as a matter of urgency, to consider the serious implications of the so-called constitutional proposals and to take all necessary measures, in accordance with the Charter, to avert the further aggravation of tension and conflict in south Africa and in southern Africa as a whole, aggravation inherent in the constitutional proposals.

79. The Government of the Republic of South Africa, true to form, has not only failed to comply with the legitimate demands of the General Assembly but, by attempting to implement those proposals which have been declared null and void and contrary to the principles of the Charter and the Universal Declaration of Human Rights, continues to pose a serious threat to the peace and security of southern Africa.

80. The 1983 constitution, as is well known, establishes a house of assembly with 178 members elected by whites who represent 4.5 million whites; a house of representatives with 85 Coloured members elected by Coloureds to represent 2.5 million Coloureds; and a house of delegates with 45 Indian members elected by Indians to represent 900,000 Indians.

81. That constitution is therefore unashamedly racist in orientation and in substance; even worse is the fact that it attempts to perpetuate the fallacious myth that the 24 million Africans are foreigners in their own country and are not equal in dignity and worth as human persons to their fellow citizens. If implemented, the constitution will, at a stroke, deprive the 24 million Africans of South Africa of their South African nationality or citizenship and further attempt to deprive them of their civil and political rights.

82. It is against this background, and guided by its mandate which reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, that members of the Special Committee join in the unequivocal denunciation of the so-called constitutional dispensation.

83. The Security Council cannot accept these so-called constitutional proposals as they not only represent a massive denial of the human rights of the people of South Africa but are bound to further aggravate tension and conflict in South Africa, seriously jeopardizing the peace and security in that area.

84. Not only will the further "constitutionalization" of *apartheid* alienate the overwhelming majority of the population, who will perforce increasingly resist the régime in Pretoria; that régime will choose to look for its adversaries outside the country, which will involve frequent acts of aggression and State terrorism against other African States, thus endangering international peace and security.

85. In the view of the members of the Special Committee, the Council, in keeping with its traditional role as repository of the conscience of the international community and as the custodian of international peace and security, must reject the 1983 constitution as contrary to the principles of the Charter of the United Nations, for it is patent that its implementation will inexorably aggravate tension and conflict in South Africa and in southern Africa as a whole, including Namibia, which is a major colonial issue remaining on the agenda of the Special Committee.

86. The constitution should also be rejected, and rejected out of hand, for it leaves intact the existing reality of the *apartheid* system in South Africa, namely that the controlling principles of the State will continue to be racial discrimination enforced by a ruling minority upon a majority more than five times as great. Eighty-seven per cent of the land will continue to be reserved for the 16 per cent of the population which is white, and the 24 million blacks, who constitute some 73 per cent of the population, will continue to be relegated to the remaining 13 per cent of the land—the so-called bantustan homelands—which for the most part are nothing but poor, barren pieces of land scattered on the map with hardly any regard for history, geography or logic.

87. The Security Council, in rejecting this latest constitutional chicanery, will leave the South African authorities in no doubt that only the total eradication of *apartheid* and the establishment of a non-racial democratic society based on majority adult suffrage in a unified and non-fragmented South Africa can lead to a just and lasting solution of the explosive situation now facing that country.

88. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

89. Mr. EL-FATTAL (Syrian Arab Republic) (*interpretation from Arabic*): I take this opportunity, Sir, not only to convey to you my congratulations on your assumption of the presidency of the Council at a time when the eyes of millions of oppressed people in South

Africa are turned towards this Council, which bears the responsibility for putting an end to the oppression perpetrated by the *apartheid* régime against the rights of the South African people, but also to assure you that we consider that the motto recently adopted by the people of Burkina Faso on the occasion of the anniversary of the people's democratic revolution, "Fatherland or death; we shall triumph," is one which crystallizes the aspirations of all peoples struggling to free their territories from colonial tyranny in its new or old form and to eliminate racism in all its forms.

90. The Security Council is meeting in response to the urgent request of the representative of Algeria, current Chairman of the Group of African States, and in pursuance of General Assembly resolution 38/11 of 15 November 1983, in which the Assembly, virtually unanimously, rejected the so-called constitutional proposals and all the pernicious manoeuvres of the racist minority régime of South Africa. Those manoeuvres are intended to consolidate the white minority régime and *apartheid*. They are intended also to sow division between segments of the South African population, particularly between the Coloured population and the Asian population on the one hand, and the indigenous population on the other hand.

91. These meetings of the Council come just a short time before the racist "elections", which are designed to set up a three-chamber parliament in conformity with the unlawful new constitution which is to go into force on 3 September. The true meaning of these changes and the aims which they pursue are well known to all members of the Council. I shall merely quote from a recent statement made by the representative of Nigeria, who is Chairman of the Special Committee against *Apartheid*; it sums up perfectly South Africa's crimes:

"The imposition of the racist constitution is a calculated conspiracy against the people of South Africa and a challenge to the international community. The racist régime is bent on breaking the historical unity of the oppressed people of South Africa by creating pseudo-parliaments for the so-called Coloured people and people of Asian origin, by conscripting members of these two communities into the *apartheid* armed forces and by making the indigenous African majority, consisting of 72 per cent of the South African population, foreigners in the land of their birth."*

92. Those words perfectly and unequivocally sum up the goals pursued through the new manoeuvres in which the Pretoria régime is now engaging. Those goals are: to deny the majority of the population their right to self-determination, which is a right guaranteed by the Charter of the United Nations; to drive a wedge between the various parts of the population; to deny them their rights by establishing new racial institu-

tions; and to force the non-white minority groups to take a path that leads to a widening of the base of repression, oppression and spoliation of rights in South Africa. We all know the underlying reasons for this constitutional manoeuvre: what is now termed "constitution" is merely a screen designed to cover up that spoliation of the rights of the indigenous population. Despite these internationally known facts, some are arguing that these movements represent a peaceful trend towards a better society. The clear, unequivocal answer to this fallacious allegation is to be found in an article in the winter 1983 edition of *Foreign Affairs*, under the heading "Revolution in the Making: Black Politics in South Africa". It was written by an American diplomat who had previously worked at the United States Embassy in Pretoria. He wrote:

"The Reagan Administration's 'constructive engagement' with South Africa carries grave risks for the national interest of the United States. South Africa is continuing in the direction it has been going for over 35 years. Despite the enlargement of privileges for some urban Africans, Coloureds, and Indians, white supremacy is now more entrenched than ever. Having been institutionalized, it is about to be constitutionalized. To discern a 'hidden agenda' for basic change, as does the Reagan Administration, is to engage in the wishful thinking that has characterized U.S. policy for far too long."*

93. There is something which we regret but which hardly surprises us: the electoral campaign conducted by the Prime Minister of the *apartheid* régime, Mr. Botha, not among the 72 per cent of the black population—who were overlooked by the pseudo-constitution as if they were non-existent—but among certain European countries in order to gain support for the crimes committed under the provisions of this spurious constitution. I shall quote merely an extract from an open letter addressed to Mr. Botha by Mr. Donald Woods, the editor of the *Daily Dispatch* of South Africa, who was thrown into prison for having divulged information about the murder in prison of Steve Biko, the freedom fighter. The editor is now living in Britain, because he was obliged to flee the country. The editor wrote:

"How ironic that you visited Britain and France last week during commemoration of the Normandy D-Day landings, which insured the Allied victory in World War II—during which conflict you and your colleagues in the Afrikaner Nationalist party fervently hoped that victory would go to the Third Reich.

"Considering how bitterly you attacked Jan Christian Smuts' Government for supporting the Allies at the time, and how openly your party admired Hitler, it was in character when you Afrikaner Nationalists took power in 1948 to pursue your own Herrenvolk theory of *apartheid*—and today, under your leadership, the cause of racial purity flourishes more

* Quoted in English by the speaker.

strongly than ever before. Since January, more than 50,000 blacks have been arrested under the Pass Laws, one of your thriving 317 racial statutes that make *apartheid* first cousin to Hitler's Nuremberg Laws against the Jews.

"Speaking of Jews, it is also ironic that your Government is so friendly with Israel, considering that in 1943 you were chief organizer in Cape Province of the party that tried to stop General Smuts allowing Jewish refugees into South Africa."*

94. The warm welcome given to Mr. Botha when he visited certain European States, notwithstanding the lively opposition of the peoples of those States to the visit of this custodian of neo-nazism, confirms that relations continue to be maintained in all spheres between certain North Atlantic Treaty States and Pretoria. It is highly disturbing to see that all these manoeuvres are conducted under the imperialist theory of a "constructive engagement". This is a policy pursued by the United States Administration in order to extend its hegemony, through South Africa, over all the States of southern Africa and to help Pretoria to commit ever more crimes against the South African people, which is being uprooted and deprived of its national identity and has seen its land severely fragmented into zones of poverty, disease and indigence.

95. The non-aligned countries have always been faithful to principle, and have condemned Mr. Botha's visit to certain European countries. The Co-ordinating Bureau of the Movement of Non-Aligned Countries, at its meeting held at the United Nations Headquarters on 6 June 1984, adopted a communiqué [S/16605, annex] condemning the visit and declaring that this was not just an action hostile to the legitimate interests of the valiant people of South Africa and all peace-loving peoples but also a flagrant violation of the resolutions and declarations of the Movement of Non-Aligned Countries, the Organization of African Unity and the United Nations. All those States called for the total isolation of the *apartheid* régime. The Co-ordinating Bureau also declared that such visits did not deceive the international community nor undermine the international drive to isolate that régime, which we believe to be—despite appearances to the contrary—near collapse as a result of the strikes and uprisings of the national liberation movements in solidarity with the South African people. No matter what Mr. Botha or the United States may do, no matter how much the régime of Pretoria may falsify and distort facts, this Nazi régime will never be able to secure a certificate of good conduct.

96. The subject with which we are dealing goes beyond constitutions and violations of human rights. Rather, it relates to the need to adopt appropriate measures—I emphasize "appropriate measures"—before the situation deteriorates as a result of the use of

force by the United States, applied through the puppet régime installed in South Africa. The spurious constitution and the rigged elections are manifestations of the United States support, which has enabled the Pretoria rulers to follow their bloodthirsty dream. The subject under consideration is the adoption of measures which will enable the South African people to exercise their right to self-determination, in full freedom, with full respect for their dignity, so as to enable the entire people to enjoy equality and liberty and to establish a régime which will secure the interests of the majority of the indigenous population.

97. It is ridiculous that 80 per cent of the indigenous population should be the victim of policies of segregation and the establishment of bantustans designed to deprive that valiant people of their essential rights, their land and their national identity. While a usurping and authoritarian extraneous minority not only keeps the fate of a whole people in its grip, but also threatens the independence and sovereignty of the neighbouring countries by the use of force.

98. We realize that the United States and other Western States members of NATO—which have deep-rooted interests in the resources and labour force of the South African people—think that it is still possible to delude the black majority by suggesting that it can obtain its rights through a step-by-step approach, while waiting for a change in the colonialists' attitude. This procrastinative theory is naive, aberrant and, above all, will not hold water. Certain resolutions may appear inactive in the beginning but that does not mean that they can be squelched. What is important is to eliminate rapidly the causes for a revolution. A revolution is brewing in South Africa now and its manifestations are the daily struggles of the liberation movements in South Africa and in Namibia. We are confident that this revolution will continue unabated and will triumph because its just cause has the support of the entire world. On the other hand, the "constructive engagement" scheme will collapse, as was the case with the other schemes that the imperialists tried to impose on our region, the Middle East. But it seems that the reckless régime of racial discrimination is bent on self-destruction and the destruction of all those around it.

99. In the issue of 25 January 1983 of *The New York Times*, under the caption "Pax Afrikaansa", Flora Lewis stated the following:

"But as one South African official considered to be among the most open-minded put it: 'We want to show that we want peace in the region, we want to contribute and we can help a lot. But we also want to show that if we are refused we can destroy the whole of southern Africa.'"

100. The Syrian Arab Republic, with the backing of its historical experience, knows full well that colonial régimes are régimes which by their nature, evolution and interests cannot alter their policies, because those

* Quoted in English by the speaker.

policies are designed to denationalize the inhabitants of the occupied territories. There is an essential contradiction between the policy of colonization and the policy of peace, as long as the ferment of racism, of oppression and exploitation of the indigenous population continues and as long as the territories of others continue to be usurped and racist societies are imposed. The activities of the Zionist and South African régimes in their respective occupied territories are prime examples. The isolation in which Tel Aviv and Pretoria are living is thus well illustrated. We must impose perpetual isolation on those two régimes as a means of deterrence. The United States is to blame for the deterioration of the situation in southern Africa and we should draw attention to the dangers of the policies of the United States in this region. Those policies are designed to manipulate the problems of the front-line States—economic, financial and meteorological—to diminish their ability to resist the imperialist schemes, to prevent them from preserving the gains they have made since their independence, to subordinate them to the American interests and the transnational companies as well as to the racist régime which has sought to become the gendarme of the region thanks to the support of imperialism.

101. We therefore call upon the Council to impose, under Chapter VII of the Charter, comprehensive sanctions against the *apartheid* régime and the States which do not adhere to the arms embargo against South Africa, particularly the United States. It is also incumbent on the Council to declare the spurious constitution and its corollaries, including the so-called elections, totally null and void and representing a flagrant violation of the Charter, a defiance to the international community and a degradation of cultural and humane values.

102. In conclusion, we again reaffirm our country's total solidarity with the people of South Africa and Namibia fighting against *apartheid* in South Africa. We are sure that their national liberation movements will triumph—I refer to the Pan Africanist Congress of Azania, the African National Congress of South Africa and the South West Africa People's Organization. Faithful to our commitment to the Charter, the resolutions of the United Nations, the Movement of Non-Aligned Countries and the Organization of African Unity, we shall spare no effort to eradicate totally the odious system of *apartheid*.

103. From this forum we hail the struggle being waged by these brave fighters, who will have the last word.

104. The PRESIDENT: The next speaker is the representative of Yugoslavia. I invite him to take a place at the Council table and to make his statement.

105. Mr. SILOVIĆ (Yugoslavia): At the outset, Sir, I wish to convey to you our congratulations upon your assumption of the presidency of the Security Council for the month of August. Your acumen and wisdom, and your known commitment to peace, equality and

independence of peoples will, I am convinced, greatly contribute to the successful consideration of the matter before us.

106. May I be permitted, also, to pay due tribute to Mrs. Jeane Kirkpatrick, representative of the United States, for her distinguished and successful guidance of the work of the Council during the month of July.

107. In the history of mankind *apartheid* is undoubtedly one of the most shameful phenomena. Regrettably, and in spite of the processes of emancipation of peoples, breakthroughs in various fields of social and national development, and numerous technological and scientific achievements, we have failed to rid the world of this abhorrent negation of human dignity.

108. Much has been said about *apartheid*, which has rightfully been proclaimed as a crime against humanity and a threat to peace and security in the world. Much has been said as well about the racist régime in South Africa that established this system of discrimination, repression and terror against the majority of the population in the country, as its "constitutional" system and as the basic principle on which its internal and foreign policies are founded.

109. What, in that light, is the meaning of the constitutional changes and elections for the Assembly in South Africa that are now under way, when the basic premises of the system are founded on the obnoxious policy of *apartheid* and bantustanization?

110. Obviously it is an attempt by the racist régime in South Africa, made under pressure from the international community and internal dissatisfaction, to give an illusion of change. However, it is aimed at prolonging and consolidating oppression and exploitation of the black population in South Africa, which is completely deprived of its basic rights. It is also aimed at strengthening the terrorism perpetrated against the majority of the population by the minority. The racist South African régime is trying to legalize and institutionalize the system at the internal level and, ironically, to present it as a democratic, constitutional and parliamentary process at the external level.

111. *Apartheid* is a threat to international peace and security, a threat which should resolutely be eliminated. It has become evident that racism is an unprecedented evil and that the racist régime of South Africa stops at nothing, including the most brutal methods within the country and against its neighbours, in order to protect its self-proclaimed privilege of being the exclusive arbiter and to impose its own distorted standards in that part of the world.

112. In November of last year, after the so-called referendum on constitutional proposals organized by the racist régime of South Africa whose goal was the further strengthening of racism and denial of basic human rights to the majority of the population, including

the right to citizenship, the problem was considered by the General Assembly as a priority item.

113. In the resolution which it adopted [*resolution 38/11 of 15 November 1983*], the Assembly declared that the so-called constitutional proposals were contrary to the principles of the Charter of the United Nations, that the results of the referendum were of no validity whatsoever and that the enforcement of the proposed racist constitution would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole.

114. Furthermore the continued malversation of South Africa's régime was most widely condemned and seen as being aimed at dividing the oppressed people of South Africa, at instigating internal disputes and at entrenching white-minority rule and *apartheid*.

115. It is evident that one of the main goals of the proposals is the adoption of legal provisions under which the so-called Coloured people and people of Asian origin would find themselves subject to obligatory conscription into the armed forces of the régime of *apartheid*. Thus internal repression against the majority of the population, the illegal occupation of Namibia and the aggression against independent African countries would be further increased and strengthened.

116. We are encouraged by the unanimous resistance of the oppressed people of South Africa to such an obvious charade. Yugoslavia, together with non-aligned countries and the majority of the international community, supports the legitimate struggle of the population of South Africa for the elimination of *apartheid* and the establishment of a society in which all people, regardless of race, colour, religious belief or sex, will enjoy equal and full political and other rights and freely participate in deciding their own destiny.

117. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, condemned the introduction of the so-called constitutional reforms by South Africa as yet another device to consolidate and perpetuate *apartheid* and white minority rule [*see S/15675 and Corr.1 and 2, annex, p. 22*].

118. In November of last year the General Assembly requested the Council, as a matter of urgency, to consider the serious implications of the so-called constitutional proposals and to take all necessary measures, in accordance with the Charter, to avert the further deterioration of the situation in southern Africa [*resolution 38/11 of 15 November 1983*].

119. The so-called changes, together with the visits of the racist Prime Minister of South Africa to a number of West European countries, were aimed at reducing the isolation of South Africa, which has few friends and allies in the world. That is why the African, the non-aligned and many other countries, as well as the

greater part of public opinion in the countries he visited, reacted so strongly against the reception extended to Mr. Botha.

120. The minority régime in South Africa, in conformity with its established practice, persistently and in spite of the almost unanimous condemnation by the international community, continues to exercise the evil policy of racism and *apartheid*, carrying out elections whose goal is the establishment of even more severe repression, terror and lawlessness in that country.

121. Such behaviour not only constitutes a violation of the most elementary norms of international law and ethics; it is yet another direct challenge to the decisions of the Security Council and the General Assembly that call for discontinuance without delay of the policy of *apartheid*, the policy that has turned South Africa into an anachronistic medieval dungeon at the end of the twentieth century, into a society lacking any protection of human rights and human dignity.

122. The seminar on the promotion and protection of the human rights of national, ethnic and other minorities held in my country in 1974, which was mentioned this morning in the statement of the representative of South Africa [*2548th meeting*], was devoted to those rights in countries where human beings, as individuals and as groups, enjoy political and civil rights. It is in my opinion, therefore, very cynical for the representative of South Africa to mention the issue of human rights since in his country they do not exist for the majority of the population. *Apartheid* cannot be changed; it can only be totally eradicated.

123. We expect the Security Council to take resolute measures that will prevent the further violation of the basic principles and provisions of the Charter. Elections based on racial discrimination and segregation ridicule the parliamentary process and they, as well as the constitutional proposals and the referendum that preceded them, should be proclaimed illegal and contrary to international law.

124. In our view the Council should demand the most urgent and full eradication of the shameful policy of *apartheid* and undertake concrete measures against the racist régime of South Africa in order to make it comply with the decisions of the Council.

125. The entire people of South Africa should without delay be enabled to exercise the right to self-determination in a democratic society, free of racial discrimination and based on the will of the majority. Only thus will a just and lasting solution of the problems in South Africa and in the region at large be achieved.

126. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Mfanafuthi Makatini, to whom the Council, at its 2548th meeting, issued an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

127. Mr. MAKATINI: Mr. President, I thank you most sincerely for giving us the opportunity to make known to the Council how and why the Pretoria régime's decision to impose the unashamedly racist and colonial constitution has provoked a wave of indignation among the millions of the oppressed majority in our country. Our thanks also go to all the members of the Council for making this possible. Your country's deep commitment to the international fight against the neo-Nazi system of *apartheid* has always served as a source of inspiration and encouragement to freedom fighters in southern Africa. We seize this occasion to say how the ANC greatly values the reaffirmation of this position as conveyed to President Oliver Tambo by Captain Thomas Sankara at New Delhi two years ago and this year when he visited our region. It is for that reason that in congratulating you on your assumption of the presidency of the Council for this month we feel confident that under your guidance it will adopt decisions that are pertinent and in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and the aspirations of our people as reflected in the Freedom Charter.

128. The attention of world public opinion is today focused on the outcome of this meeting of the Council with greater interest and more common expectation than ever before. The reason is clear. It is that the Council must be guided by the self-evident truth that men are born equal and by the principle of government with the consent of the governed. Consequently, in pursuance of its unshirkable duty, it is expected to condemn, reject, fight and defeat racist South Africa's constitutional manoeuvres aimed at the consolidation of the universally condemned system of *apartheid*, that offshoot of nazism and prescription for war.

129. The expectations of the oppressed and struggling people of South Africa, which they share with their natural allies, the peoples of the world, lead me to an important statement made by the then United States Secretary of State George Marshall in Paris on 10 December 1948, when, three years after the defeat of fascism, the Universal Declaration of Human Rights was ratified by the General Assembly. He declared:

"Governments which systematically disregarded the rights of their own people were not likely to respect the rights of other nations and other people and were likely to seek their objectives by coercion and force in the international field."²

130. Racist South Africa's record, not only in words but in deeds as well, makes this statement truly prophetic. "In white South Africa, only the white man was boss"—meaning master—"and the Nationalist Party would maintain this position forever—with force if necessary," said Vorster on 16 March 1970, four years before the P. W. Botha invasion of Angola, followed by the régime's extension of its so-called defence perimeter to include all African countries south of the equator and followed by the régime's undeclared war against

neighbouring countries, some of which are today victims of unequal agreements secured at gunpoint.

131. This is but part of the larger background against which the racist, colonial and Fascist constitution must be examined. As a result of the inevitable developments today beyond its control, the régime has to adapt or die, according to its spokesmen.

132. What are these circumstances? They are, first, the rising tide of black anger; secondly, the collapse of the buffer that had protected *apartheid* South Africa; thirdly, the régime's acute shortage of white military manpower resulting from its repressive army being overstretched and failing to stem the ever-growing tide of intensified armed struggle being waged by SWAPO in Namibia and the ANC in South Africa itself; fourthly, the demands by some of the régime's Western allies for reforms that would give a human face to the *apartheid* monster in order to render possible its continued diplomatic protection.

133. It is important to place South Africa's 1983 constitution in its proper historical context. Without going into details on how, in pursuance of settler colonialism, racist South Africa adopted only those features of the Westminster system that allowed it to practise racial domination and reject the principle of universal suffrage, we must make a brief examination of the 1961 constitution. What is the character and function of the present constitution, whose demise is due soon?

134. It is unashamedly racist in composition and function. It comprises a single legislative chamber of 177 white members of Parliament elected by white voters only. Bills are passed by a simple majority vote and become law when signed by a non-executive State President. This is how the horrendous discriminatory and repressive laws designed to secure and perpetuate the black people's enslavement, dispossession, exploitation and genocide are passed. Executive power is vested in a Prime Minister and Cabinet—all white and Afrikaner—which enjoy the undivided loyalty and support of 126 members of Parliament.

135. This is what has served as the so-called legal basis for the practice of the *apartheid* policies which stand condemned by the General Assembly as a crime against humanity and a threat to world peace and international security.

136. The question before the Council is whether the 1983 constitution marks the beginning of the long-awaited departure from this position. Is it a step in the right direction, responding to the General Assembly and Security Council's repeated calls on the South African authorities to end the repression and oppression of the black majority and seek a peaceful, just and lasting solution in accordance with the principles of the Charter?

137. The 1983 constitution is the creation of the architect of *apartheid*: the Nationalist Party, whose lead-

ers and spokespersons have often boasted of their Fascist commitment, proclaimed an allegedly divinely-inspired right and resolve to ensure that South African nationhood is for whites only where the black majority can stay only as temporary sojourners for the purpose of ministering to the needs of the whites. It is therefore yet another and more effective instrument aimed at maintaining the Nationalist Party and *apartheid* control behind the fig leaf of reforms and power-sharing.

138. According to Johan Duggard, the Director of the Johannesburg-based Centre for Applied Legal Studies, the main feature of the 1983 constitution is its tricameral structure: Parliament will consist of three legislative chambers, located in separate buildings. There will be a white house of assembly with 178 members elected by whites to represent 4.5 million whites, a house of representatives with 85 "Coloured" members elected by Coloureds to represent 2.5 million Coloureds, and finally a house of delegates with 45 Indian members elected by Indians to represent 900,000 Indians. Each house will deliberate separately, and in case of disagreement the will of the majority party in the white house of assembly will prevail. The State President, enjoying far-reaching executive and legislative powers, will be elected by an electoral college of 88, comprising 50 members designated by the white house of assembly, 25 members by the "Coloured" house of representatives, and 15 members by the Indian house of delegates. In practice, the 50 members of the electoral college constitute the majority that ensures the election of its candidate.

139. Johan Duggard correctly characterizes his scenario when he says:

"The State President will manipulate the tricameral Parliament like a puppet master, for to him is given the power to decide which matters are to be disposed of finally by each House on its own, and which matters are to be passed by all three Houses sitting separately, or if necessary, by the dead-lock procedure."

Duggard further elaborates that:

"If the State President decides that a given matter is an 'own affair' of a particular House, he will refer it to that House for final legislative determination. Should he decide that a matter is not the 'own affair' of a particular House, it becomes a 'general affair', to be decided on by all three Houses and this presidential decision is final and no court of law may question its correctness."

140. Bills designated as dealing with a "general affair" passed by the three Houses sitting separately will become law when they have been assented to by the State President. In the event of disagreement between the Houses, the matter will be referred by the State President to the President's Council for resolution. The

decision of the President's Council is, in such cases, deemed to be the decision of Parliament.

141. The régime's spokesmen have given different reasons to explain the failure of the constitution to deal with the indigenous African majority. First, there was the nakedly racist one given by the Minister of Constitutional Affairs, who said this was because the inadequate development of the Africans made them incapable of comprehending the complex democratic process. Since this outburst, which embarrassed the régime's allies abroad, the now repeatedly declared position is that the constitutional development for the Africans is already settled. They are to be deprived of South African nationhood and allowed to exercise their civil and political rights in the bantustans. We humbly submit that this alone is enough to clear the minds of the members of the Council and make them condemn unanimously and reject this constitution, based on bantustan policy, to which there is unanimous opposition. The other reason is, in our opinion, the fact that no Member State can fail to condemn the so-called constitution, which seeks to perpetuate the disenfranchisement of the indigenous African majority and makes them foreigners in the land of their birth.

142. Some spokesmen of one Member State have been reported as welcoming racist South Africa's constitution as a step in the right direction. We want to believe that the Reagan Administration supports the United Nations position calling for the establishment of a non-racial, democratic society in South Africa. If that is the case, South Africa's 1983 constitution cannot be welcomed as a step in the right direction.

143. However, in fairness to the Reagan Administration, we must add that this reported statement of welcoming what has been rejected by the General Assembly, as well as by the summit conferences of the OAU, the Non-Aligned Movement and the Commonwealth countries, has been contested by Mr. Chester Crocker. That leads us to expect the United States to join the international community in condemning Botha's constitution, which is obviously designed to entrench further white minority rule and the universally condemned *apartheid* system.

144. There is another reason why we think the United States should have no problem in voting in favour of the draft resolution sponsored by the non-aligned countries. It will be recalled that in his major policy statement last year, Mr. Lawrence Eagleburger, the American Under-Secretary of State for Political Affairs, said:

"Our policy is directed, therefore, not at whether a non-racial order will be arrived at [in South Africa], but how that non-racial order will be arrived at. Western policy towards South Africa today must focus on how various black groups acquire the basis and influence necessary to participate in a genuine bargaining process that produces changes acceptable to all."

145. It will be further recalled that P. W. Botha himself wasted no time to respond—angrily, if I might say—by reaffirming once again that there will never be a system of one man one vote in South Africa. Botha's response clearly dismissed the idea often whispered by some Washington spokesmen suggesting that the régime's constitutional changes should be given a chance since the régime might be having some hidden agenda involving black participation in the South African political process.

146. Pretoria's clarity of purpose was further underlined during the November referendum campaign. Several South African newspapers have reported that:

"On repeated occasions, the régime's spokesmen emphasized that the new constitution would preserve white domination, that the new constitution was not a step towards integration, that the Group Areas Act would be retained, and, if necessary, forcefully applied and that there was no place for representation of Africans, who would have to exercise political rights beyond the local level through the bantustans."

147. The ANC sees and condemns Botha's new constitution as the continuation of the 300-year-old policy of conquest, enslavement, dispossession and genocide. It is not a step towards change. Proof of this is that all the repressive laws which constitute the main pillars of the inhuman *apartheid* system remain intact. They are in fact being consolidated by the draconian Koornhof bills.

148. Even presented as reforms, those insidious manoeuvres have been seen for what they are by our people. The strong opposition to this racist, colonial and Fascist constitution has united our people more than ever before. The leadership of what has turned out to be the most powerful non-racial coalition of all times has come from Coloured, Asian and African community leaders. It is inspired by the eloquent warning of Nelson Mandela in a letter smuggled out from Robben Island in 1980 and published in 1982, in which he declared:

"*Apartheid* is the embodiment of the racism, repression and inhumanity of all previous white supremacy régimes. To see the real face of *apartheid* one must look beneath the veil of constitutional formulae, deceptive phrases and playing with words."

149. In examining the record of previous white supremacy régimes, we find that following the wars of conquest in the nineteenth century, Britain imposed a constitution in its South African colony which entrenched white minority power, Boer and British, whilst giving the qualified franchise to the Coloured and the small number of Africans in the Cape Province. In the rest of the provinces, our people were excluded from political participation.

150. Like the 1983 constitution, the Act of Union was an act against the indigenous African people. It brought

together sworn enemies, Boers and Britons, because of their common interest in the wealth of our country, which they planned to extract with our labour. From 1910 to 1936, the process of harnessing our labour through landlessness began. The 1913 Land Act which prepared the ground for the present bantustans was passed and complemented in 1923 by the Urban Areas Act, which spelt out that Africans could only remain in the cities as temporary sojourners if they ministered to the needs of the white man. In 1936, even that qualified franchise was eliminated and replaced by the Native Representative Council. Those Africans who lived in the Cape could elect three white representatives. This constitutional fraud reached its demise after the 1946 miners' strike and was finally eliminated when the Nationalist Party came to power in 1948. In 1956, the token franchise of the Coloureds was also eliminated.

151. It is clear to us that one of the reasons why the régime that has in the past gone to great lengths to eliminate the Coloured franchise and even attempted to deport the Indians and is taking such a position today, is to solve the acute problem of shortage of white military manpower. By granting this limited parliamentary representation to the so-called Coloureds and people of Asian origin, the régime aims at securing their conscription into the *apartheid* army for internal repression and aggression against the neighbouring States. It hopes in the process to divide the black people and weaken their common struggle against white supremacy and for a non-racial society based on majority rule in a united and non-fragmented South Africa.

152. The pressing appeal we address to the members of the Council to reject racist South Africa's 1983 constitution as null and void is an appeal for support of the position taken by the South African patriots who see this manoeuvre as designed to further entrench white minority rule and *apartheid*. It is an appeal for support of the democratic mass organizations inside our country which have called for the boycott of the pseudo-elections due to take place this month. This boycott movement is co-ordinated by the United Democratic Front (UDF) which was formed in August last year and comprises 600 organizations whose common objective and resolve is the rejection of the new constitution and the Koornhof bills.

153. Having launched the million-signature campaign for the rejection of the new constitution, UDF has issued an appeal for the boycott of the forthcoming elections and the new constitution because, first, "whites will still be in control. For every four whites in the new system, there will be two Coloureds and one Indian person. Coloureds and Indians will therefore have no real say." Secondly, Coloured adult males will be forced to do border duty. Key Government officials made it clear that if the constitution is accepted, border duty will follow. Although conscription and border duty can be rejected by the Coloured and Indian people in the new parliaments, whites will still have the final say. Thirdly, African people are left out of the new

constitution. This will create greater tension amongst the different race groups. The UDF is concerned that if Coloureds and Indians accept the new constitution, they will be seen as a party to the white man's laws against African people. Fourthly, nothing will change. The high rents, rates, low wages and other problems will remain. The Group Areas Act and other unjust laws will not be changed.

154. In his statement this morning [2548th meeting], in which he rejected in advance any decisions that may emanate from the Council, the representative of the racist South African régime has displayed the type and level of arrogance, defiance and intransigence that must convince the justice-loving members of this body, first, that in the case of *apartheid* South Africa the Council is dealing with an entity that will not be persuaded by reasoned argument—if I may borrow from his words; secondly, that, indeed, the Pretoria régime and its *apartheid* policies constitute not only the obstacle to peace, stability and security in southern Africa but also threaten world peace and international security; thirdly, that the problem facing the Council today in its resolve to help bring about the establishment of a non-racial society based on majority rule in South Africa can be traced to the unjust decision taken by the United Nations in admitting as a Member a settler régime founded on the denial of the right to self-determination for the indigenous majority; and, fourthly, that racist South Africa's suspension from the General Assembly must be maintained while the Council takes appropriate steps to expel this régime from the United Nations.

155. The PRESIDENT (*interpretation from French*): I call on the representative of the United States, who has requested to exercise her right of reply.

156. Mrs. KIRKPATRICK (United States of America): I should like to thank the President and to congratulate him on the assumption of this high office. We all have confidence that he will conduct the affairs of this Council with fairness and effectiveness.

157. I have asked to speak in exercise of my right of reply in order to address certain of the questions that were raised in the form of assertions by the previous speaker with regard to the views and values and conduct of the Government of the United States. I should like to make just a few points, and very briefly, in order to set at rest any questions which any member of the Council may have concerning our commitments relevant to the draft resolution in the matter before us.

158. First, I will affirm as clearly and unequivocally as possible, as I have on many occasions in the Council,

on behalf of the United States, that the United States Government deplores *apartheid*, condemns *apartheid*, as we condemn all denial of full citizenship and of the rights of full citizenship and of democracy to all citizens of all countries, unequivocally.

159. Secondly, I should like to underscore that the United States does indeed condemn the constitution now before us for consideration, and all constitutions that do not provide full adult suffrage and free elections, as we deplore all constitutions of all Governments that do not feature democratic elections in which all adult citizens may participate under conditions of free speech, of access to media, of free assembly, of majority rule, and of protection of minority rights. The United States indeed deplores all Governments everywhere which are not governments based on consent deriving from the right of all citizens to participate in the processes of their Government. We do not approve of any Government in which blacks are disenfranchised, or, indeed, any other category of citizens whatsoever.

160. We oppose—indeed, deplore—all Governments which deprive any category of their citizens of full rights. We especially deplore the keeping of political prisoners, and we call on all Governments to release their political prisoners. We wholly affirm the words of a former Secretary of State, one of our most distinguished military and diplomatic leaders of all time, General George C. Marshall, when he said that Governments which systematically violate the rights of their own citizens are not likely to respect the rights of others anywhere else in the world.

161. I should like to assure the previous speaker—and indeed all the members of the Council—that the Council can count on United States support for any resolution which espouses the rights of Member States under the Charter of the United Nations, which is consistent with the principles of the Charter, providing only that the members of the Council are ready to apply those principles and guarantee those rights to all other people in all other societies represented here today.

The meeting rose at 6.45 p.m.

NOTES

¹ Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings, 32nd meeting, para. 110.

² Ibid., Third Session, Plenary Meetings, 139th meeting, p. 37.

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